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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/792,277

03/04/2004

Teruhisa Yokosawa

FEC 119

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RABIN & Berdo, PC

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EXAMINER

KANE, CORDELIA P

ART UNIT

PAPER NUMBER

2132

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/792,277	Applicant(s) YOKOSAWA, TERUHISA	
	Examiner CORDELIA KANE	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/6/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed December 20, 2007 have been fully considered but they are not persuasive. Applicant argues that the storage chamber is not a groove open towards said magnetic disc medium. However the storage chamber contains fluid capable of destroying the recording surface, the storage medium is located above the magnetic disc medium (figure 5) so when the fluid is released it flows towards the magnetic disc medium due to gravity. Therefor the storage chamber is as a groove that is open towards the magnetic disc medium.

Oath/Declaration

2. The objection to the oath/declaration has been withdrawn.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3, 4, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama, and further in view of Shim. Referring to claim 1, Akiyama teaches a magnetic disc apparatus (page 1, paragraph 2):

a. That stores storing digital AV information (page 1, paragraph 4), which compresses, encrypts and records information (page 3, paragraph 44), and with the encryption/decryption key stored in advance (page 3, paragraph 47).

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- b. After a request for reproduction (page 5, paragraphs 81-82), the disc decrypts the data, then sends it for decompression (page 5, paragraph 83), before being outputted (page 5, paragraph 86).
 - c. The unit which contains features 1 – 10 (figures 2 and 3, and page 3, paragraph 44) is a case.
 - d. A spindle motor for rotating the disc (page 2, paragraph 20).
5. Akiyama does not explicitly disclose a clamp body for clamping the magnetic disc to the shaft and the clamp body contacting the magnetic disc medium, and the clamp body including a groove open towards said magnetic disk medium and fluid confined in the groove capable of destroying a recording surface of the magnetic disk medium, whereby attempting to detach the clamp body from the magnetic disk will release the fluid from the groove to destroy the information. However, Shim discloses:
- e. A clamp body for clamping the magnetic disc medium to the shaft and the clamp body surface in contact with the medium (figure 5).
 - f. Including a groove open towards the magnetic disc medium and fluid confined in the groove capable of destroying a recording surface (page 5, paragraph 56).
 - g. Detecting when someone is attempting to disassemble the disc (remove it from the spindle and clamp) and then starting the degradation process (page 7, paragraph 68).
6. Akiyama and Shim are analogous art because they are from the same field of endeavor, magnetic disc apparatus. At the time of the invention, it would have been

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obvious to one of ordinary skill in the art, having the teachings of Akiyama and Shim before him or her, to modify Akiyama to include destroying the data of Shim. The motivation for doing so would have been there is a need to protect information from being accessed by unauthorized intruder (page 1, paragraph 6).

7. Referring to claim 3, Akiyama teaches a decryption and decompression circuit (page 3, paragraph 44).

8. Referring to claim 4, Shim teaches detecting when someone is attempting to disassemble the housing of the disc (page 4, paragraph 53) and then notifying the eraser unit which destroys the disc (pages 4-5, paragraph 54).

9. Referring to claim 6, Akiyama teaches that the disc medium is separate from the decryption and decompression circuits (figure 2). Again, it is inherent that there is a case holding all these components.

10. Referring to claim 9, Shim teaches that the chemicals used to destroy the disc include etchants used in silicon fabrication in the semiconductor art (page 5, paragraph 58) It is known that acids, such as nitric acid are used in semiconductor fabrication.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to CORDELIA KANE whose telephone number is (571)272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cordelia Kane/
Examiner, Art Unit 2132

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132